

**United States District Court
Southern District of New York**

Document #

21

U.S.C.A. #

U.S.D.C. # 04-cv-0165

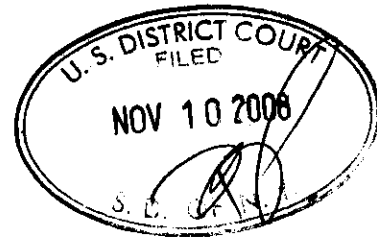
U.S.D.J.: MBM

Date: Nov. 10, 2008

Anyara

-v-

The Estee Lauder Companies, Inc.



Notice to the Docket Clerk

☐ Original Record

☒ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A. for the
Second Circuit on the 10th Day of November, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DATE: 11/10/2008

USCA NO. _____

SDNY NO. 04-cv-0165

JUDGE: MBM

Argyres

-v-

The Estee Lauder Companies, Inc.

1st **Supplemental Index To The Record On Appeal**

PREPARED BY (NAME): Thomas Pisarczyk
FIRM: United States District Court for the Southern District of NY
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New York, New York 10007
PHONE NO. (212) 805 - 0636

DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION	DOC#
1. <u>Supplemental Clerk's Certificate</u>	_____
2. _____	_____
3. <u>** SEE ATTACHED DOCKET SHEET</u>	_____
4. _____	_____
5. <u>*** ONLY CIRCLED DOCUMENTS ARE SUPPLEMENTED</u>	_____
6. _____	_____
7. _____	_____
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**United States District Court for
the Southern District of New York**

Date 11/10/2008

Azzara

-v-

The Ester Lander Companies

U.S.C.A. # _____

U.S.D.C. # 04-cv 0165

D.C. JUDGE: MBM

15 **Supplemental Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified extract of the docket entries and the original filed papers numbered _____ Through _____, inclusive, constitute the Supplemental record on appeal in the above entitled proceedings.

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 10th Day of Nov In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 233RD year.

J. Michael McMahon, Clerk

By *[Signature]*
Deputy Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Date: 11/10/2008

Argyona

USCA NO. _____

-v-

SDNY NO. 04-cv-0165

the Estee Lauder Companies

JUDGE: MBM

Extract of Docket Entries

DATE

DOCUMENTS DESCRIPTION

**** SEE ATTACHED DOCKET SHEET**

***** ONLY CIRCLED DOCUMENTS ARE SUPPLEMENTED**

J. Michael McMahon, Clerk

By: _____

[Signature]
Deputy Clerk

APPEAL, CLOSED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:04-cv-00165-MBM
Internal Use Only

Azzara v. The Estee Lauder Companies, Inc. et al
Assigned to: Judge Michael B. Mukasey
Demand: \$3,000,000
Case in other court: U.S.C.A. 2nd. Circ., 04-01467-cv
Cause: 42:1983 Civil Rights Act

Date Filed: 01/09/2004
Date Terminated: 01/09/2004
Jury Demand: None
Nature of Suit: §50 Prisoner: Civil Rights
Jurisdiction: Federal Question

Date Filed	#	Docket Text
01/09/2004	1	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Paul Azzara.(laq,) (Entered: 01/14/2004)
01/09/2004	2	COMPLAINT against Patrick Bousquet-Chavanne, Daniel J. Brestle, Kenneth Caufield, Andrew J. Cavanaugh, Cynthia Lynn Christman Hubbard, Clinique Laboratories, Inc., William Jelinek, Paul E Konney, Richard W. Kunes, Fred H. Langhammer, Evelyn H. Lauder, Leonard A. Lauder, William P. Lauder, Carolyn Polito, Philip Shearer, Edward M. Straw, Sally Susman, The Estee Lauder Companies, Inc.. (Filing Fee \$ 150.00, Receipt Number 485798) Document filed by Paul Azzara.(laq,) (Entered: 01/14/2004)
01/09/2004		Magistrate Judge Frank Maas is so designated. (laq,) (Entered: 01/14/2004)
01/09/2004	3	MEMORANDUM OF LAW in Support 2 Complaint. Document filed by Paul Azzara. (laq,) (Entered: 01/14/2004)
01/09/2004	4	ORDER OF DISMISSAL...I direct the Clerk of Court to assign a docket number to the complaint. For the reason set for in this order, the complaint is dismissed. Thus, according this complaint reveals no basis for exercise of subject matter jurisdiction over the underlying suit. Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915(a)(1), is dismissed pursuant to 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Michael B. Mukasey on 1/9/04) (laq,) (Entered: 01/14/2004)
01/09/2004	5	JUDGMENT in favor of Defendants against Plaintiff. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Michael B. Mukasey on 1/9/04) (laq,) (Entered: 01/14/2004)
01/15/2004		Mailed notice of Right to Appeal re: 5 Judgment - Sua Sponte (Complaint), Judgment - Sua Sponte (Complaint) to Pro Se Litigant(s): Paul Azzara. (laq,) (Entered: 01/15/2004)
02/05/2004	6	NOTICE OF APPEAL from 5 Judgment - Sua Sponte (Complaint), Judgment - Sua Sponte (Complaint). Document filed by Paul Azzara. Copies of Notice of Appeal mailed to Attorney(s) of Record: Mitchell R, Schrage & Associates and Estee Lauder Company. (dt,) (Entered: 03/13/2004)
02/05/2004		Appeal Remark as to 6 Notice of Appeal, filed by Paul Azzara. I.F.P. REVOKED 1/14/04. \$255.00 APPEAL FILING FEE DUE. (dt,) (Entered: 03/13/2004)
03/13/2004		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 6 Notice of Appeal. (dt,) (Entered: 03/13/2004)
03/13/2004		Transmission of Notice of Appeal to the District Judge re: 6 Notice of Appeal. (dt,) (Entered: 03/13/2004)
03/18/2004	7	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 6 Notice of Appeal, filed by Paul Azzara 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (dt,) (Entered: 03/18/2004)
03/18/2004		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 6 Notice of Appeal, filed by Paul Azzara were transmitted to the U.S. Court of Appeals. (dt,) (Entered: 03/18/2004)
04/14/2004		USCA Case Number 04-1467-cv from the U.S.C.A. 2nd. Circ. assigned to 6 Notice of Appeal, filed by Paul Azzara. (tp,) (Entered: 04/14/2004)
04/15/2004	8	NOTICE of Appearance by Mitchell R. Schrage on behalf of Patrick Bousquet-Chavanne, Daniel J. Brestle, Kenneth Caufield, Andrew J. Cavanaugh, Cynthia Lynn Christman Hubbard, Clinique Laboratories, Inc., William Jelinek, Paul E Konney, Richard W. Kunes, Fred H. Langhammer, Evelyn H. Lauder, Leonard A. Lauder, William P. Lauder, Carolyn Polito, Philip Shearer, Edward M. Straw, Sally Susman, The Estee Lauder Companies, Inc. (nite dep. box) (pa,) (Entered: 04/15/2004)
04/16/2004	9	NOTICE of Change of Address by Paul Azzara. (pl,) (Entered: 04/22/2004)
04/28/2004		PRO SE MEMORANDUM dated 4/26/04 re: CHANGE OF ADDRESS for Paul Azzara. New Address: c/o Sal Azzara, 6 Balmoral Drive, Chestnut Ridge, New York, 10977-6915. (kw,) (Entered: 04/28/2004)
09/30/2004	10	MANDATE of USCA (Certified Copy) as to 6 Notice of Appeal, filed by Paul Azzara USCA Case Number 04-1467-cv. It is Ordered that the motion is denied and the appeal is DISMISSED. Roseann B. MacKechnie, Clerk USCA. Issued As Mandate: 9/20/04. (tp,) (Entered: 09/30/2004)
09/30/2004		Transmission of USCA Mandate/Order to the District Judge re: 10 USCA Mandate. (tp,) (Entered: 09/30/2004)
11/01/2004		Appeal Record Returned. Indexed record on Appeal Files for 6 Notice of Appeal, filed by Paul Azzara USCA Case Number 04-1467-cv, returned from the U.S. Court of Appeals. (pr,) (Entered: 11/01/2004)
03/05/2008	11	MOTION to Reopen Case and to file an Amended Complaint. Document filed by Paul Azzara.(cd) (Entered: 03/14/2008)

04/11/2008	12	MOTION For An Enlargement of Time To Respond to the Defendant's Affirmation in Opposition to Motion and Request to file an Amended Complaint. Document filed by Paul Azzara.(rw) (Entered: 04/15/2008)
05/02/2008	13	ORDER denying 11 Motion to Reopen Case and Request to File an Amended Complaint with leave; Plaintiff's submission is literally construed as a motion for reconsideration pursuant to Rule 60(b) of the FRCP and a request to amend his complaint pursuant to Rule 15 of the FRCP. Plaintiff's motion for reconsideration and his request to file an amended complaint, however, are denied. The Clerk of Court is directed to accept no further submissions under this docket number, except for papers directed to the Court of Appeals for the Second Circuit. I certify pursuant to 28 USC sec. 1915(a)(3) that any appeal from this order would not be taken in good faith.. (Signed by Judge Loretta A. Preska on 5/2/08) (ae) (Entered: 05/05/2008)
05/02/2008		Mailed a copy of Order 13 to Paul Azzara by Certified Mail # 7001 2510 0002 8737 4379 with Return Receipt Requested. (ama) (Entered: 06/05/2008)
05/21/2008	14	This document has been removed from the docket pursuant to Court Order, dated 5/2/08, document #13. (Entered: 05/22/2008)
05/30/2008	15	PRO SE MEMORANDUM dated 5/29/08 re: CHANGE OF ADDRESS for Paul Azzara. New Address: 170428, FCI Allenwood, PO Box 2000, White Deer, PA, 17887-2000. (tro) (Entered: 05/30/2008)
06/05/2008		Received Return Receipt as to Paul Azzara, which was served by Certified Mail # 7001 2510 0002 8737 4379, on 6/09/2008. (ama) (Entered: 06/12/2008)
06/05/2008	17	NOTICE OF APPEAL from 13 Order on Motion to Reopen Case. Document filed by Paul Azzara. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/9/04. (tp) (Entered: 06/30/2008)
06/05/2008		Appeal Remark as to 17 Notice of Appeal filed by Paul Azzara. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/9/04. (tp) (Entered: 06/30/2008)
06/09/2008	16	AFFIRMATION of Rebecca E. Hagenson in Opposition to Motion dated May 29, 2008 made by plaintiff entitled: Motion for Correction Based on Clerical Mistake; FRCP Rule 60(a). Document filed by Patrick Bousquet-Chavanne, Daniel J. Brestle, Andrew J. Cavanaugh, Paul E. Konney, Richard W. Kunes, Philip Shearer, Edward M. Straw, Sally Susman, Carolyn Polito, William Jelinek, Kenneth Canfield, The Estee Lauder Companies, Inc., Clinique Laboratories, Inc., Cynthia Lynn Christman Hubbard, Leonard A. Lauder, Evelyn H. Lauder, William P. Lauder, Fred H. Langhammer. (dj) (Entered: 06/11/2008)
06/30/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 17 Notice of Appeal. (tp) (Entered: 06/30/2008)
06/30/2008		Transmission of Notice of Appeal to the District Judge re: 17 Notice of Appeal. (tp) (Entered: 06/30/2008)
07/03/2008	18	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 17 Notice of Appeal filed by Paul Azzara 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (nd). (Entered: 07/03/2008)
07/03/2008		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 17 Notice of Appeal filed by Paul Azzara were transmitted to the U.S. Court of Appeals. (tp) (Entered: 07/03/2008)
07/09/2008	19	ORDER: Pursuant to the Court's May 2, 2008 order, all motions pending in this action are terminated. In addition, as there is no motion pending, no further motion papers may be accepted for filing; thus the Clerk of Court is directed to strike defendants' Affirmation from the Court's docket. Furthermore, defendants are reminded that they need not respond to any future submissions by plaintiff in this case unless directed to do so by the Court. The Court's prohibition against the filing of new documents under this docket number, except for papers directed to the Second Circuit, remains in effect. (Signed by Judge Loretta A. Preska on 7/0/2008) The Clerk's Office Has Mailed Copies.(rw) Modified on 7/14/2008 (rw). (Entered: 07/10/2008)
07/09/2008		Received returned mail re: 19 Order. Mail was addressed to Paul Azzara at 83640-054 F.C. I. Allenwood P.O. Box 2000 White Deer, PA 17887-2000 and was returned for the following reason(s): Returned to Sender. (ama) (Entered: 07/24/2008)
07/14/2008		PRO SE MEMORANDUM dated 7/14/08 re: CHANGE OF ADDRESS for Paul Azzara. New Address: 83640-054, F.C.I. Allenwood, P.O. Box 2000, White Deer, PA, 17887-2000. (rw) (Entered: 07/14/2008)
09/19/2008	20	AMENDED NOTICE OF APPEAL re: 17 Notice of Appeal, 19 Order. Document filed by Paul Azzara. Copies mailed to attorney(s) of record: Mitchell R. Schrage & Associates, PLLC. (tp) (Entered: 11/07/2008)
11/07/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 20 Amended Notice of Appeal. (tp) (Entered: 11/07/2008)
11/07/2008		Transmission of Notice of Appeal to the District Judge re: 20 Amended Notice of Appeal. (tp) (Entered: 11/07/2008)